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FGS File No. P/3240-67

10/069611

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Rainer-Walter KASTNER et al

Date: September 18, 2002

Serial No.: 10/069,611

Group Art Unit: ---

Intl. Appln. No.: PCT/EP00/06930

Examiner: ---

09/25/2002 SHAJARRO 00000093 10069611

Intl. Filing date: 20 July 2000

01 FC:154

For: METHOD OF OPERATING A FUSION GASIFIER

130.00 OP

U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 22202

Attn: Box PCT (US/DO/EO)

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. 371

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed August 19, 2002, submitted herewith is the Inventor(s) Declaration and our Check No. 10774 which includes the amount of \$130.00 in payment of the surcharge.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account #15-0700.

If this communication is filed after the time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. §1.136(a), to extend the time for filing a response by the number of months which will avoid abandonment under 37 C.F.R. §1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

EXPRESS MAIL CERTIFICATE

Respectfully submitted,

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label # EX1618230961 S) in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on September 18, 2002.

Signature

OSTROFFENK, FABER, GERB & SOFFENK
1180 Avenue of the Americas
New York, New York 10020-1001

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
300707069,611INTERNATIONAL APPLICATION NO.
PCT/EP00/06930INTERNATIONAL FILING DATE
20 July 2000PRIORITY DATE CLAIMED
24 August 1999TITLE OF INVENTION
METHOD OF OPERATING A FUSION GASIFIERAPPLICANT(S) FOR DO/EO/US
Rainer-Walter KASTNER et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment
15. ☐ A substitute specification
16. ☐ A change of power of attorney and/or address letter
17. ☐ A computer readable form of the sequence listing in accordance with 37 CFR 1.92

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service for deposit in the Mail Post Office to Addressee (mail label EV161823096US) in an envelope addressed to U.S. Patent and Trademark Office, P.O. Box 2322, Arlington, VA 22202, on September 18, 2002

Dorothy Jenkins

I hereby certify that the enclosed International Application and

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
10/069,611

INTERNATIONAL APPLICATION NO.
PCT/EP00/06930

ATTORNEY'S DOCKET NUMBER
P/3240-67

| | | | | | |
|---|--------------|--------------|------------|---------------------------|----|
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | | | CALCULATIONS PTO USE ONLY | |
| BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)): | | | | | |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | | | | \$1040.00 | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | | | | \$890.00 | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO | | | | \$740.00 | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | | | | \$710.00 | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | | | | \$100.00 | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)) | | | | \$ 130.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | \$ | |
| Total claims | - 20 = | | x \$18.00 | \$ | |
| Independent claims | - 3 = | | x \$84.00 | \$ | |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | - \$280.00 | \$ | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ | |
| SUBTOTAL = | | | | \$ 130.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | \$ | |
| TOTAL NATIONAL FEE = | | | | \$ 130.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. | | | | \$ 40.00 | |
| TOTAL FEES ENCLOSED = | | | | \$ 170.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |

a. ☒ A check in the amount of \$ 170.00 to cover the above fees is enclosed. Check No. 10774

b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 25-17000. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2033.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

ENCLOSURE RESPONSE TO



UNITED STATES PATENT AND TRADEMARK OFFICE

 Division of Patent Policy
 United States Patent and Trademark Office
 Washington, DC 20503

| | | |
|-----------------------------|-----------------------|-----------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY DOCKET NO. |
| 10/069,611 | Rainer-Walter Kastner | P/3240-67 |

| |
|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
| PCT/EP00/06930 |

| | |
|----------------|---------------|
| IA FILING DATE | PRIORITY DATE |
| 07/20/2000 | 08/24/1999 |

Ostrolenk Faber Gerb & Soffen
 1180 Avenue of the Americas
 New York, NY 10036-8403

AUG 23 2002

CONFIRMATION NO. 3416

371 FORMALITIES LETTER



OC000000008639899

Date Mailed: 08/19/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration

P/3240-67
 19-OCT-2002 RCF
 RH

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the

THIS NOTICE OR FAILURE TO COMPLY WITH THE REQUIREMENTS SET FORTH HEREIN WILL RESULT IN THE APPLICATION, WHICHEVER IS LATER, FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO | INTERNATIONAL APPLICATION NO | ATTY DOCKET NO |
|----------------------------|------------------------------|----------------|
| 10/069,611 | PCT/EP00/06930 | P/3240-67 |

FORM PCT/DO/EO/905 (371 Formalities Notice)